

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 1-18 are pending in the present application, with claims 1, 3, and 5 being independent.

Claim Rejections Under 35 USC §102/103

The Examiner rejected claims 1-6, 8, 10, and 12-18 under 35 USC 102(a) as being anticipated by Horii (US Patent No. 5,850,463); and claims 7, 9, and 11 under 35 USC 103(a) as being unpatentable over Horii in view of “Segmentation and Tracking of Faces in Color Images” by *Sobottka et al.* These rejections are respectfully traversed insofar as they pertain to the presently pending claims.

Independent claims 1, 3, and 5 are generally directed to a method, apparatus, and recording medium that obtains a layout image signal representing a layout image, in which a plurality of person images are laid out, from a plurality of original image signals. Each of the original image signals represent a person image, in which a face pattern of a person is embedded. First, a face candidate region is detected from each of the original image signals, the face candidate region representing a position and/or a size of the face pattern of the person in the person image represented by each original image signal. Then, a pattern matching process is performed for each face pattern that is represented by the detected face candidate region to calculate an amount of displacement and/or size difference thereof from a normalized value. Next, a face pattern normalizing process is performed on each of the original image signals based on the detected face candidate region and the calculated amount of displacement and/or size difference. A plurality of

normalized image signals are thus obtained from the face pattern normalizing process. Thereafter, a plurality of images, which are represented by the normalized image signals, are laid out in a predetermined layout such that the plurality of image signals are laid out side by side, whereby the layout image signal representing the thus formed layout image is obtained.

On page 2 of the outstanding Office Action, the Examiner states that the Examiner interprets the term “laid out” as encompassing “overlaid.” In view of the Examiner’s interpretation of the term “laid out,” Applicants have amended the independent claims in an effort to clarify that the plurality of images are laid out side by side, as is shown, for example, in Fig. 4 of the present application.

Referring to Fig. 3c of *Horri*, it can be clearly seen that the alleged normalized images G1 and G2 are not laid out side by side but are overlaid. Thus, *Horri* does not anticipate independent claims 1, 3, or 5. Dependent claims 2, 4, 6-18 should be considered allowable at least for depending from an allowable base claim.

Accordingly, withdrawal of the rejection is respectfully requested.

Conclusion

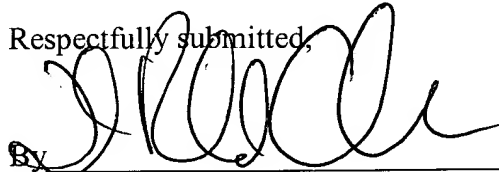
In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin Geissler (Reg. 51,011) at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Date: July 29, 2005

Respectfully submitted,



By

D. Richard Anderson

Registration No.: 40,439

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant